IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET.
CRIMINAL WRIT PETITION NO.2674 OF 2004,
CRIMINAL WRIT PETITION NO.2675 OF 2004,
CRIMINAL WRIT PETITION NO.2676 OF 2004,
CRIMINAL WRIT PETITION NO.2677 OF 2004,
CRIMINAL WRIT PETITION NO.2678 OF 2004,
CRIMINAL WRIT PETITION NO.2679 OF 2004,
CRIMINAL WRIT PETITION NO.2680 OF 2004

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Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.

Court's or Judge's orders

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Shri A.R.Pande for the Petitioners
Ms U.V.Kejriwal, A.P.P. for State

CORAM: SMT.RANJANA DESAI &
A.S.OKA,JJ.
DATE : DECEMBER 23, 2004.

P.C.:

1. In these writ petitions the main grievance of the petitioners is that the petitioners were not heard when the hearing pursuant to the show cause notices issued to them took place on 30-9-2004.

2. We have heard Shri Pande, learned counsel for the petitioners and Ms Kejriwal,A.P.P. On instructions from D.C.P. Zone-II Mr.Dighvkar, Mr.Katdare, Senior Police Inspector, Dr.D.B.Marg Police Station, Mr.Mohite, P.S.I., Dr.D.B.Marg Police Station who are present

in the court today, Ms. Kejriwal,A.P.P. states that on 30-9-2004 the petitioners were told to wait for some time as respondent 2 was busy with urgent work. The petitioners refused to wait and left. The advocate for the petitioners submitted a letter to respondent 2 recording that the Personal Assistant of respondent 2 had told him that respondent 2 is busy in forthcoming election and the next date will be intimated to the petitioners after election. Ms Kejriwal, A.P.P. contended that this letter does not depict the true state of affairs.

3. We do not want to express any opinion on this aspect in view of the statement made by the learned A.P.P. that in the interest of justice the Commissioner of Police will hear the petitioners on Wednesday 29th December 2004 at about 11.30 a.m. at the Commissioner's office at Crawford Market, Mumbai. We direct that the hearing shall be concluded on the same day. We direct the Commissioner of Police to dispose of the matters by reasoned orders. We make it clear that

the petitioners and/or their advocates should remain present at 11.30 a.m. on 29th December 2004 at Commissioner's Office for hearing. The petitioners should not seek any adjournment on any count. The petitioners shall co-operate and in case the Commissioner of Police is required to leave his office on account of any urgent work, the petitioners and/or their advocate shall attend the Commissioner's office on the next date of hearing which will be intimated to them. In that case on the adjourned date the hearing shall be concluded

4. In view of this the orders impugned in these petitions are set aside. Needless to say that the orders are not set aside on merit.

5. Parties to act upon an authenticated copy of this order.

(SMT.RANJANA DESAI,J.)

(ABHAY S. OKA,J.)